

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ROBERT SINGER, *Individually and as
Administrator of the Estate of Gloria A.
Singer, deceased,*

Plaintiff,

v.

MONTEFIORE *et al.*,

Defendants.

) Case No. 1:21-cv-02149
)
) Judge J. Philip Calabrese
)
) Magistrate Judge William H. Baughman, Jr.
)
)
)
)
)

NOTICE OF APPEAL

Notice is hereby given that all defendants in the above-captioned case appeal to the United States Court of Appeals for the Sixth Circuit from this Court's opinion and order entered on January 6, 2022, granting the plaintiff's motion to remand (the "Remand Order"). The Remand Order is reviewable on appeal because this case was removed pursuant to, *inter alia*, 28 U.S.C. Section 1442. 28 U.S.C. § 1447(d); *BP p.l.c. v. Mayor of Baltimore*, ___ U.S. ___, 141 S.Ct. 1532, 209 L.Ed.2d 631 (2021).

This is the same case as *Singer v. Montefiore et al.*, Case No. 1:21-cv-2102, in which the defendants have also filed a notice of appeal. The same case was assigned two different case numbers upon the filing of two separate notices of removal by different defendants. They should be consolidated for purposes of appeal.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document was filed with the Clerk of Courts using the ECF system on January 25, 2022, which will send notification of such filing to all attorneys of record.

/s/ Joseph F. Petros III

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